

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

NAYTHAN A. WARD, individually and on	)	
behalf of all others similarly situated,	)	
	)	
Plaintiff,	)	Case No. 5:22-cv-00885-JRA
	)	
v.	)	
	)	
THE J. M. SMUCKER COMPANY,	)	
	)	
Defendant.	)	
	)	

**MOTION TO REASSIGN A RELATED CASE**

Defendant The J. M. Smucker Company (“Smucker”), by its attorneys, and for its Motion to Reassign a Related Case pursuant to Local Rule 3.1(b)(2) states as follows:

1. Pursuant to Local Rule 3.1(b)(2), Smucker moves to reassign to this Court a later-filed, related case: *Pisciotti v. The J.M. Smucker Company*, No. 5:22-cv-01151 (N.D. Ohio 2022) (Judge Sara Lioi). The complaint and civil cover sheet for this case is attached hereto as Exhibit 1.

2. The *Pisciotti* matter, like the above-captioned litigation, brings causes of action against Smucker stemming from Smucker’s recall of select Jif® peanut butter products sold in the United States due to potential salmonella contamination.

3. Because common issues of law and fact predominate across these cases, and because the cases are in their early stages, reassignment is appropriate. The significant commonalities in these cases—and the anticipated overlaps with respect to discovery (particularly on Smucker) and with respect to potentially outcome-determinative legal issues—would result in significant judicial savings.

4. Counsel for Defendant has conferred with Mr. Piscioti's counsel on this matter and has confirmed via e-mail correspondence dated July 29, 2022, that they are not opposed to this request. Counsel for Defendant has also conferred with Mr. Ward's counsel on this matter. Counsel for Mr. Ward has advised Defendant's counsel that they will inform Defendant's counsel on Monday whether they have a position on this Motion.

WHEREFORE, for the reasons set forth above, Smucker respectfully requests that the Court grant its Motion and enter an order finding that *Pisciotti* should be reassigned to this Court as related.

Dated: July 29, 2022

Respectfully submitted,

*/s/ Ronald Y. Rothstein*

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Ronald Y. Rothstein (Pro Hac Vice)  
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